



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

El Centro Field Office
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El Centro, CA 92243-4561
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2930(P)
(CA-670.41)

September 1, 2006

Dear El Centro Resource Area Vendors:

With the 2006-2007 visitor use season approaching, it will soon be time to obtain vendor permits. Vendor Permits are a type of Special Recreation Permit (SRP). While the Field Manager has the discretion to approve, disapprove, or modify a permit, those that follow the procedures below are normally approved. The Special Recreation Permits (SRPs) will be issued for the 2007 Season but they will only be valid for the days paid in advance (Vendor Days). The season for the Imperial Sand Dunes Recreation Area is from October 1, 2006 to May 31, 2007. For the rest of the El Centro Resource Area, the season is from October 1, 2006 to September 30, 2007. The fees have not changed from last season.

Vendors should note that Special Recreation Permits only authorize the use of public lands. A permit does not guarantee that the land will be useable for a particular vendor's operations. For example, winds can change a hard packed area into an area with soft sand. Wind and rain can convert a sandy area into a muddy area overnight. These weather effects might make the site useless to a vendor with a 2-wheel drive vehicle and be perfectly useable for another vendor with a 4-wheel drive vehicle.

The Imperial Sand Dunes Recreation Area Management Plan and Record of Decision were approved in March 2005. The plan has led to several changes being made from years ago.

1. Roving (moving) vending and vending at the Glamis Flats, Buttercup, and Dune Buggy Flats Vendor areas will start at noon Thursday and end at noon Monday. For High Visitation Periods (Thanksgiving, Christmas-New Years, and Easter), the time period has been extended. See the Fee Section below for the specific dates.
2. Long term vending will be restricted to the Gecko Road Vendor Pad sites.
3. Roving vending will not be authorized in the Mammoth Wash Management Area, the proposed Adaptive Management Area, and the Ogilby Management Area. For several years, the North Algodones Dunes Wilderness was and still is closed to roving vending.
4. The Glamis Flats Vendor Area has been signed with the cooperation of vendors and private land owners.
5. The current Special Recreation Application and Permit Form (Form 2930-1) must be used. If item 5 asks for your Social Security Number or Taxpayer Identification Number, then you have the current form. All applications using old forms will be returned.
6. A copy of the Seller Permit showing a **sublocation** at the Imperial Sand Dunes or for BLM Managed Lands in Imperial County must be included as part of the application package. The Seller Permit Number from the California Board of Equalization must be entered on the Vendor Supplemental Information Form.
7. The Vendor Supplemental Information Form contains a signature line for you to affirm that you have read and agreed to the stipulations, terms, conditions, rules, regulations, and supplemental rules that are included in Appendix A. Applicants should keep Appendix A and do not include it with your application package.
8. Vendors in the Imperial Sand Dunes Recreation Area (ISDRA) will be required to obtain either the Weekly or Seasonal non-commercial Special Recreation Permit for each primary vehicle in addition

to paying the commercial Special Recreation Permit Fees. They may be purchased online from the Imperial County Sheriff's Office (<http://www.imperialsanddunes.org/c-1-dunes-permit.aspx>)

9. The minimum fee for a Special Recreation Permit is \$90.00 and the reserved site fee for the Gecko Vendor Pad is \$180.00. (Every three years these fees for BLM and the United States Forest Service are adjusted based upon the Gross National Product Implicit Price Deflator Index.)
10. Vendors with a Septic Hauler Permit and those delivering/retrieving rental trailers will have the option of paying for their estimated vendor days each month and filing a monthly post use report to adjust for their actual use. These vendors are unable to predict when their services would be required. They pump RV and trailer septic tanks and reduce the potential of visitors dumping their septic tanks in the camping areas.
11. The Imperial County Tax Collector's Office will be requiring all businesses to have a business license issued by Imperial County. Contact the Tax Collector's Office at 760-482-4303 for details.
12. The Imperial County Environmental Health Services will continue requiring vendors preparing and/or selling food and other consumable goods to have a valid Food Permit. Initial permits may require 3-4 weeks to process.
13. A close scrutiny will be made of Certificates of Insurance to assure that BLM is both named on the certificate but also listed as "Additional Insured".

The Vendor Information Package, including this letter, will be available shortly on the El Centro Field Office's web site (<http://www.blm.gov/ca/elcentro/ImperialSandDunes/index.html>). Click on the link for 2006/2007 Vendor Information. Each item in the information package, including forms, can be individually downloaded.

Key procedures are listed below. Please read each item carefully and all the stipulations on the enclosed Vending Permit Special Stipulations (09/01/2006). You are responsible to know the stipulations that will apply for the October 1, 2006-May 31, 2007 season.

1. *Applications for the Gecko Road Vendor Pad sites will be accepted beginning on September 11, 2006 and must be accompanied with a completed application, payment, list of dates to vend, Vendor Supplemental Information Form, Vendor Update/Change Request (specifying the location and dates requested), a detailed list of items to be sold, and photocopies of appropriate Imperial County permits and the Board of Equalization's Seller Permit with the Imperial Sand Dunes or BLM Managed lands in Imperial County being listed as a sublocation. All applications received by mail or in person by September 20, 2006 will be considered as being received at the same time. Applications received after the close of business on September 20, 2006 will not be included in the lottery. A lottery will be held at 10.00 AM on September 21, 2006 to select the order of application preference. The first selected applicant will choose the site and dates for vending on the pad. The second selected applicant will choose from the remaining sites and dates. This process will continue until all sites and dates for the Gecko Road Vendor Pad are filled or there are no more applicants. After the lottery, any remaining sites and/or dates will be assigned on a first come first serve basis in minimal blocks of 30 days.*

NOTE: *If there are four or less applicants and the El Centro Field Office receives, by close of business, on September 20, 2006, a written statement agreement as to which Gecko Road Vendor Pad site they will occupy, a lottery will not be held. The agreement needs to be signed by applicant.*

2. *Permittees for the Gecko Road Vendor Pad sites will have the first right of refusal for their assigned sites. For example, if a permittee has paid for the site through the end of December another individual may apply for the site for the next two months. The permittee assigned the site will be given the right to continue to use the site with the payment of the fees for the period. If the permittee does not choose to continue on the site or fails to pay the fees, the site will be assigned to the new applicant.*
3. *Vending permits on the Gecko Road Vendor Pad are issued for commercial services open for business a minimum of 30 consecutive days. Assigned/Exclusive Use site fees apply only to the Gecko*

Road Vendor Pad sites. Vendor permits will not be issued for parking, camping, storing equipment, storing vehicles or sub-leasing. Vendor permits are considered a commercial use (43 CFR 2932.5) of public lands for business and/or financial gain and that also support sand dunes related recreational use.

- 4. The Vendor Supplementary Information Form must include the California Board of Equalization Sellers Permit number, and a dated signature agreeing to comply with the stipulations, regulations and rules listed in Appendix A.*
- 5. The Vendor Update/Change Request must identify the dates, location(s), type of operation (whether it is stationary [fixed in place while vending] or roving [always moving]). The completed form must be submitted with the original application and for subsequent changes (e.g., adding dates, locations, items being sold).*
- 6. Vendors having more than one unit conducting business on a given day must obtain a Special Recreation Permit for each unit.*
- 7. License numbers for vehicles and trailers for each unit must be provided on the Vendor Vehicle Sheet. Also identify which, if any, will be used to prepare or store food.*
- 8. The sale or display of alcohol, tobacco, fireworks, lewd or pornographic material, drugs or drug paraphernalia is not allowed. In addition, services and products that do not support sand dunes related activities (e.g., body painting, climbing walls) will be denied.*
- 9. Vendors must properly display a valid non-commercial Special Recreation Permit for each primary vehicle. "A primary transportation vehicle is a street legal vehicle used for transportation to the site." (Federal Register, Vol. 63, No. 242, 12/1/1998, page 69,647, paragraph 3). The non-commercial Special Recreation Permit may be purchased online from the Imperial County Sheriffs Office (ICSO) at <http://www.imperialsanddunes.org/c-1-dunes-permit.aspx>. The ICSO web site also identifies several locations where these permits can be purchased. **NOTE:** All vending equipment and facilities must be removed from public lands when only the non-commercial Special Recreation Permits are being used and vending has ceased.*
- 10. A detailed list of the type of items and services offered must be provided with the original SRP Application Package. The list needs to describe all items in detail and novelty items must be listed individually. Copies of text and stencil designs used on clothing (e.g., for t-shirts and hats) and stickers need to be included.*
- 11. The stipulations have been amended to allow stationary and non-roving permits to sell small commercially packaged and sealed containers of fuel for camping equipment such as stoves and lanterns. The sale of fuel for motor vehicles is still prohibited.*

Enclosed is an SRP application, Appendix A "Special Stipulations", the Vendor Supplemental Information Form and the Vendor Update/Change Request, the Vendor Vehicle Sheet, and the Application Checklist for the vending program. If you should decide to apply for a permit, return the completed application form (with the original signature) as well as the signed Special Stipulations, the Vendor Supplemental Information Form, and Vendor Update/Change Request, the Vendor Vehicle Sheet, a Certificate of Insurance with the Bureau of Land Management listed as **additionally insured**, and photocopies of appropriate Imperial County & California Board of Equalization permits and other required information. Please state the location(s) and vending dates and include the advanced payment. The selected dates do not have to be consecutive except for at the Gecko Road Vendor Pad sites.

Commercial Use Fee Schedule (October 1, 2006-September 30, 2007*):

Non-Holiday Weekends (Thursday to Sunday)	\$30/day
Non-Holiday Week Days (Monday to Wednesday)	\$25/day
High Visitation Periods (Holiday, Halloween, & Easter Weekends)	\$60/day
* Imperial Sand Dunes Recreation Area Season is (10/01/2006- 05/31/2007)	

Imperial Sand Dunes Recreation Area Non-Holiday Weekends start at noon Thursday and end at noon Monday. Business cannot be conducted between noon Monday and noon Thursday. An exception is made for the Gecko Road Vendor Pad where no time limit exists and during the High Visitation Periods when vending can occur between the start and end times listed below.

High Visitation Periods (Holidays, Halloween, and Easter Weekends) Commercial Use Fee Schedule:

Halloween:	noon Thursday, 10/26/06 to noon Monday, 10/30/06
Thanksgiving:	noon Thursday, 11/16/06 to noon Monday, 11/27/06
Christmas/New Year:	noon Thursday, 12/21/06 to noon Tuesday, 01/02/07
Martin Luther King, Jr.:	noon Thursday, 01/11/07 to noon Tuesday, 01/16/07
Presidents Day:	noon Thursday, 02/15/07 to noon Tuesday, 02/20/07
Easter:	noon Thursday, 03/29/07 to noon Monday, 04/09/07

The commercial use fees apply to any day or part of a day that commercial activity occurs (e g , setup, tear down, selling, providing services, advertising). A minimum \$90.00 commercial use fee will be charged for each vendor permit (Special Recreation Permit) and be applied towards the total of daily commercial use fees. An additional \$180.00 Assigned/Exclusive Use Site Fee applies to Gecko Road Vendor Pad sites (\$180.00 + commercial use fees).

A Certificate of Insurance for comprehensive public liability insurance, commonly called business insurance, with the Bureau of Land Management listed, as "additional insured" must be provided with the Special Recreation Permit Application package. As a minimum the insurance needs to be in the amount of \$300,000 per occurrence, \$600,000 annual aggregate for bodily injury and \$30,000 property damage per occurrence with a \$55,000 aggregate. If deemed necessary by the authorized officer, additional coverage may be required. Itemized amounts must be shown on the certificate of insurance. Vehicle insurance normally will not satisfy this requirement.

If the application includes any of the dates between October 1, 2006 and October 9, 2006, applications must be received 7 days before the start of the application. The normal 14 day advance receipt requirement is being waived because of the delay in providing this information package, applications and supplemental forms. For applications and amendments beginning during the rest of the season (10/12/06-05/31/07), your Special Recreation Permit Application package and any amendments or Vendor Update/Change Requests need to be received 14 calendar days before the permit or the amendment would start. The time is needed for processing and to respond by general mail. Approved permits will not be sent by overnight mail.

Any changes or amendments made to the approved Special Recreation Permit must be made on the enclosed Vendor Update/Change Request. Forms from previous years will not be accepted and will delay processing of your request.

A pre-season vendor meeting will be held at the El Centro Field Office at 2:00 PM on September 21, 2006. The coming vendor season will be discussed and the meeting is only for information purposes. The results of the Gecko Road Vendor Pad lottery held that morning will be announced. It is not necessary to attend to

apply and become a vendor. In the past, some vendors have requested the meeting and it is being tried to improve communications with vendors.

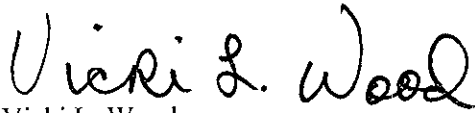
Periodically, BLM mailing lists need to be updated. Next season's (10/01/07-05/31/08) mailing list for Vendor Information Package will be limited to current vendors and individuals who have specifically requested to be on either this season's or next season's mailing list. Other individuals need to specifically request to be added to next season's mailing list or they will not receive an information package.

Late last season, we discovered that our VoiceMail system's memory was being filled and neither the caller nor the Bureau was advised that caller attempts to leave a message were not being recorded. We apologize for anyone whose message was not recorded and therefore not responded to. To avoid a similar problem, Individuals are encouraged to download the Vendor Information Package and extra forms from the El Centro Field Office's web site (<http://www.blm.gov/ca/elcentro/ImperialSandDunes/index.html>). Requests that are just for adding to or deleting from the vendor mailing list can be emailed to Arnold Schoeck Arnold_Schoeck@ca.blm.gov.

Applicants are reminded that only written applications and/or Update Change Requests received 14 days in advance are assured to be processed. Phone calls, messages, and emails with credit card numbers for payments are only processed as time permits and after written applications and Update/Change Requests are received. In October, November, and December, the number of written applications and addition requests prohibit processing most phone and email requests. Unless you receive an approved Vendor Update/Change Request with a colored date stamp, your applications and request for specific vendor days is not approved.

We appreciate your cooperation and look forward to working with you in the 2006-2007 visitor use season. If you have any questions or concerns, please contact Arnold Schoeck, Lead Outdoor Recreation Planner at 760/337-4441 or e-mail him at Arnold_Schoeck@ca.blm.gov. Emails, including attachments, are limited to 5 MB.

Sincerely,

A handwritten signature in black ink that reads "Vicki L. Wood". The signature is written in a cursive, flowing style.

Vicki L. Wood
Field Manager

Enclosures